

treating osteochondral pathologies; Group 4 (claims 9-16 and 22-23), drawn to a surgical instrument; and Group 5 (claims 19-21), drawn to a kit for treating osteochondral pathologies.

Election of Invention

Pursuant to 37 C.F.R. § 1.142, Applicant elects Group 1 without traverse and Group 4 in regard to Group 1. Claims 1-8 and 17-21 are withdrawn from further consideration by the Examiner under 37 C.F.R. § 1.142(b), as being drawn to a non-elected invention. Applicant, however, reserves the right pursuant to 37 C.F.R. § 1.141 to pursue claims to the non-elected invention in this application in the event a generic claim is allowed.

Applicant reserves the right pursuant to 35 U.S.C. §121 to file one or more divisional applications directed to the non-elected invention during the pendency of the present application.

CONCLUSION

Applicants believe that the application is in condition for examination. Should the Examiner have any questions, the Examiner is encouraged to telephone the undersigned.

Respectfully submitted,
WILSON SONSINI GOODRICH & ROSATI

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650 Page Mill Road
Palo Alto, CA 94304
(650) 493-9300
Customer No. 021971

David J. Weitz
David J. Weitz, Reg. No. 38,362